

①

UNITED STATES DISTRICT COURT

Room 150 Federal Bldg
San Juan PR 00918 - 1767
October 15 of 2022

BANKRUPTCY COURT

IN RE

THE FINANCIAL OVERSIGHT
AND MANAGEMENT BOARD
FOR PUERTO RICO

AS REPRESENTATIVE OF

THE COMMONWEALTH OF
PUERTO RICO & ALL
DEBTORS

Obe E Johnson
Plaintiff

PROMESA

TITLE III

NO. 17 BK 32B3-LTS

Jointly Administered

THIS FILING RELATES TO THE
COMMONWEALTH, COFINA
HTA ERS, and PBA

MOTION TO THE BANKRUPTCY COURT, THE ILLEGAL
SENTENCE HAS EXPIRED, UNDER THE RIGHTFUL
PENAL CODE OF 1974, THE PETITION FOR HABEAS CORPUS
THAT WAS INCORPORATED INTO PROMESA THE ILLEG-
AL SENTENCE HAS EXPIRED, THE BANKRUPTCY COURT
ATTENTION,

TO THE HONORABLE UNITED STATES DISTRICT JUDGE
LAURA TAYLOR SWAIN,

COMES NOW plaintiff - APPELLANT OBE E JOHNSON
and before this Honorable Court respectfully states
alleges and prays as follows

②

Fact

the appeal that was taken from an order by the title III court granting relief from the automatic stay, to pursue that petition for Habeas Corpus that was incorporated into title III of Promesa, to notify this Honorable bankruptcy court the illegal sentence has expired,

the Guayama SDO prison correction administration has refused to calculate or discount sentence of articles 5-04, their Puerto Rican Arm Law, Glance at the Liquidation of sentence the sentence of article 5-04 is natural years

Glance careful at the Liquidation of sentence after I complaint in 2017, on February of 2018 they refused to calculate and discount of sentence of article 5-04, their Arm Law, they changed both Arm law position on the Liquidation taken 5 years Arm law down and 10 years Arm law up,

the Puerto Rico Commonwealth Lawyer from the Division de Apelaciones Luis Gutierrez Marcand became involved in conspiracy with the administration of correction, and their court that they should prosecute me and apply a different penal code of 2005, instead of the rightful penal code of 1974, their lawyer Luis Gutierrez Marcand requested the penal code of 2005 to extend punishment, because article 5-04 it is natural year or cruel and unusual punishment he violated the eighth Amendment to the U.S. Constitution, because of evil-motive

3

I am accredited to discount of sentence corresponding that I was sentenced under the penal code of 1974, for Article 5.04 their Arm Law, the Administration of Correction has refused to discount of sentence for article 5.04 Arm Law,

they falsify claim that I commit a crime their witness claim they imagine me to have a gun, at this time it is unbelievable,

I claim that the illegal sentence has already expired if it is calculated under the rightful Penal Code of 1974, They sentenced me under the Penal Code of 1974

First of all the illegal sentence has already expired, if calculate Rightful under the penal code of 1974, Why Habeas Corpus incorporated into title III of promesa to lift the Automatic Stay as 362(d)(1) of the Bankruptcy code requires

the prison social worker call me to refer me to the Puerto Rico Parole board, and I refused they are trying that I should leave Court Jurisdiction to enhance the illegal sentence that was expired, their Court of appeals has refused to lift the automatic stay of promesa,

they charged me with the penal code of 1974, not the penal code of 2005, the fact, the falsify allegation, they claim was committed February 9, 2005, and they sentenced me on September 15

4

2005, THE PENAL CODE OF 2005 WAS APPROVED
on may 1, 2005, 81 days AFTER they implemented
the penal code of 2005, they has already
Falsity accused me and in prison before
that Penal code of 2005 came into exist,
WHEREFORE it is respectfully requested or
notification to this Honorable bankruptcy COURT
PROMESA APPEAL NOS 20-1698-21-1189 SEE 11 USC
362(a) Providing For Automatic stay incorporated
into a title III case by 48 USC 2161(a) Johnson
Obe E pending appeal is taken from an ORDER
by the title III COURT Granting Johnson Obe E
RELIEF from the automatic stay to pursue his
PETITION FOR HABEAS CORPUS, that illegal sentence
has already expired under the rightful penal
code of 1974 if calculate,

Signature Obe E Johnson

Address below

Obe E Johnson
Institucion Guayama 500
AB 033

P.O. Box 1000-5
Guayama, PR 00785

OCTOBER-15 2022

ATTACHMENT OF DOCUMENT TO PROOF THAT
THE ILLEGAL SENTENCE WAS ALREADY EXPIRED
UNDER THE RIGHTFUL PENAL CODE OF 1974 AND
THEY USED AN DIFFERENT PENAL CODE OF 2005
TO CONTINUE KEEPING ME ILLEGAL IN PRISON